

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Ilias Bourekas,

Debtor.

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Andrew M. Thaler, Chapter 7 Trustee of the
Bankruptcy Estate of Ilias Bourekas,

Plaintiff,

v.

Anna Rizos, Kyriaki Bourekas,
Maria Anna Bourekas, Kalliopi
Bourekas, and Vivian Bourekas,

Defendants.

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Case No.: 8-18-78496-las

Chapter 7

Adv. Pro. No.: 8-19-08055-las

ORDER ASSIGNING MATTER TO MEDIATION

Pursuant to the request of the parties in this adversary proceeding after a pretrial conference held on October 8, 2020, the Court has determined to assign to mediation the above adversary proceeding between plaintiff and the defendants (collectively, the “Mediation Parties”) to attempt to resolve all disputes by and between the Mediation Parties; it is therefore

ORDERED, that pursuant to E.D.N.Y. LBR 9019-1, all disputes by and between the Mediation Parties are hereby referred to mediation; and it is further

ORDERED, that **Thomas R. Slome, Esq.** is hereby designated as mediator (the “Mediator”); and it is further

ORDERED, that the Mediator shall be compensated at an hourly rate to be determined after consultation between the Mediator and the Mediation Parties, or, if not agreed, then to be set by the Court; and it is further

ORDERED, that unless otherwise agreed to in writing, the fees and cost of the

mediation shall be shared equally between the plaintiff and defendant, with plaintiff bearing one-half of the total fees and costs, and defendant bearing one-half of the total fees and costs; *provided, however*, that the Mediator's expenses associated with out-of-town travel or overnight lodging shall not be reimbursable expenses; and it is further

ORDERED, that all fees due the Mediator from the bankruptcy estate shall be paid upon motion by notice of presentment filed pursuant to E.D.N.Y. LBR 2002-1 and served upon the Mediation Parties, and the Office of the United States Trustee; all fees due the Mediator from the non-estate Mediation Parties shall be paid directly to the Mediator upon receiving a bill for services; and it is further

ORDERED, that the Mediation Parties shall furnish the Mediator with such copies of the pleadings and motion papers as the Mediator shall request, as well as such statements of each respective party's position as the Mediator shall request; and it is further

ORDERED, that the mediation shall be concluded, whether by separate or joint sessions, by **November 27, 2020**; and it is further

ORDERED, that by **December 3, 2020**, the Mediator shall file a status letter as to whether the mediation resulted in a settlement; and it is further

ORDERED, that in the event that this matter is not resolved through mediation or otherwise, the Mediation Parties are directed to appear before the Court at a status conference on **December 10, 2020 at 10:00 a.m.**; and it is further

ORDERED, that the Mediation Parties must attend the mediation; any partnership, corporation or other legal entity which is a Mediation Party must designate for attendance a representative who has complete authority to resolve the disputes, subject only to such approval of the Bankruptcy Court as may be necessary or appropriate; and it is further

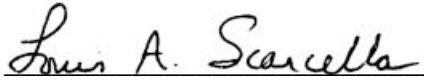
ORDERED, that to the extent the procedures for mediation are not set forth herein,

the mediation shall be governed by E.D.N.Y. LBR 9019-1; and it is further

ORDERED, that the Clerk of the Court serve a copy of this Order upon the attached Service List.

Dated: October 15, 2020
Central Islip, New York




Louis A. Scarcella
United States Bankruptcy Judge

Service List

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Mediator

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